## **REMARKS**

Claim 1 was rejected as being based upon a defective reissue declaration under 35 U.S.C. 251. A new declaration is concurrently submitted herewith which states "The error for which correction via this reissue is sought is that the transition phrase of original claim 1, which read "containing by weight," results in a claim coverage that was more than what the patentees were entitled to claim. A new claim 9 has been added in place of canceled claim 1 to narrow the scope claimed."

New claims 9 to 12 are hereby added. Support for these new claims is found in the originally filed and the issued claims 1 to 4 of the parent application 09/000,104, for example.

Withdrawal of the rejection is respectfully requested.

Applicant believes that no fees, other then the extension fees, are due as a result of this amendment. In the event of a fee discrepancy, please charge our Deposit Account No. 50-0552.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

DATED: October 6, 2009

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